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## VIA CM/ECF

Hon. Robert B. Kugler, U.S.D.J.  
Mitchell H. Cohen U.S. Courthouse  
1 John F. Gerry Plaza, Room 6040  
Camden, NJ 08101

**Re: Hill, et al. v. DiFlorio, et al.**  
**Docket No. 09-cv-3685-JS-RBK**  
**Our File No. 08-0099**

Dear Judge Kugler:

As you are aware, this office represents Defendants Commerce Bancorp, LLC and TD Bank, N.A. in the above referenced matter. In accordance with the terms of the Court's Order, dated May 31, 2012 [Doc. No. 302], enclosed please find the following documents, which were the subject of Defendants' motions to seal [Doc. Nos. 257 and 265] and have since been approved for public use by the Office of the Comptroller of Currency ("OCC"):

- **Exhibit A** -- Affidavit of V. Gerard Comizio, ¶¶ 26-29, 39;
- **Exhibit B** -- Transcript of the Deposition of V. Gerard Comizio, pages 29, 96-111, 114-15, 163-69, 192-220, 257-58, 261-67;
- **Exhibit C** -- Letter from Paul Allan Schott, dated September 23, 2011;
- **Exhibit D** -- Transcript of the Deposition of Gerard Guidice, pages 76, 109-12, 122-24;
- **Exhibit E** -- Transcript of the Deposition of Dennis DiFlorio, pages 45-48, 85-88, 137-44, 181-84;
- **Exhibit F** -- Transition Plan submitted by Commerce Bank, N.A. to OCC;
- **Exhibit G** -- Transcript of the Deposition of Vernon W. Hill, II, pages 162-69;

**BROWN & CONNERY**

**LLP**

Hon. Robert B. Kugler, U.S.D.J.

May 11, 2012

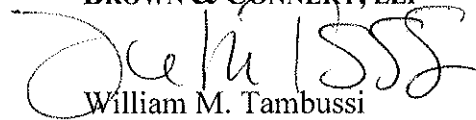
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- **Exhibit H** -- Transcript of the Deposition of Gregory Cowhey;
- **Exhibit I** -- Expert Report of Gregory Cowhey;
- **Exhibit J** -- Email from Kevin Lee to Andrew Sandler, Esq., dated November 12, 2008; and
- **Exhibit K** -- Transcript of the Deposition of Shirley Hill, pages 89-90.

Thank you for your consideration of this matter.

Respectfully submitted,

**BROWN & CONNERY, LLP**



William M. Tambussi

MJM

Enclosures

cc: Edwin J. Jacobs, Jr., Esq. (via email)  
Louis M. Barbone, Esq. (via email)